

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Cherrity Honesty-Alexis Meranelli,

Plaintiff,

Case No. 23-CV-2260 (JWB/DJF)

v.

ORDER

Jesse Ryan Pruette, *Security Counselor assigned to the Special Services Department & Plaintiff's Primary Property Person-MSOP*—sued in his official and individual capacity, Jane Does, John Does,

Defendants.

Based on the parties' memoranda and all the other files, records and proceedings herein, pursuant to Fed. R. Civ. P. 6(b) and for good cause shown, the Court **GRANTS IN PART** and **DENIES IN PART** Plaintiff's *Motion for Extension of Time to Respond to Summary Judgment Motion and for Sanctions for Spoliation and Notice*. Plaintiff's response to Defendant's *Motion for Summary Judgment* shall be due **January 10, 2025**. The Court extends the deadline in light of Plaintiff's pro se status and in the interests of justice and determining this dispute on the merits. However, the Court finds that with the extensions previously granted Plaintiff had ample time to respond to Defendant's motion notwithstanding her detained status, and that she had the ability to either retain or request whatever documents she may have needed to prepare her response. Plaintiff is cautioned that no more extensions of the response deadline will be granted. **If she fails to file her reply by January 10, 2025, the Court may recommend granting Defendant's Motion for Summary Judgment (ECF No. 133) as unopposed.**

The Court **DENIES** Plaintiff's request for sanctions for spoliation. Based on the Court's review of the parties' submissions, Plaintiff proffers insufficient evidence to support her claim that spoliation occurred. The Court further denies this request for the reasons previously stated on the

record in response to her previous spoliation motion asserting similar arguments (ECF No. 87 at 4, noting that court documents are simply paper copies of electronic filings, which remain available). Finally, the Court cautions Plaintiff that future non-dispositive motions filed without meeting and conferring with defense counsel as required by this Court's rules will be summarily denied.

SO ORDERED.

Dated: December 20, 2024

s/ Dulce J. Foster

DULCE J. FOSTER

United States Magistrate Judge